

**COURT OF SPECIAL APPEALS OF MARYLAND
CORRECTION NOTICE**

October 16, 2020

**Case No. 3245, Sept. Term, 2018
Bashunn Christopher Phillips v. State of Maryland**

**Reported opinion filed: April 30, 2020
Authoring judge: Kenney, J.**

Page 9, 12th line from the bottom of the page NOW READS

Defendant filed a demand for speedy trial on July 25, 2014. Defendant objected to the February 25, 2016 postponement. The State does not dispute that Defendant did assert his right to a speedy trial at said hearing.

SHOULD READ AS 3rd PARAGRAPH ON PAGE 9

Defendant filed a demand for speedy trial on July 25, 2014. Defendant objected to the February 25, 2016 postponement. The State does not dispute that Defendant did assert his right to a speedy trial at said hearing.

Page 9, 9th line from the bottom of the page NOW READS

In considering the prejudice factor, the Court is to consider that interests of Defendant which the speedy trial right was designed to protect, namely, (a) to prevent oppressive pretrial incarceration; (b) to minimize anxiety and concern of the accused; and (c) to limit the possibility that the defense will be impaired. Of these, the most serious is the last, because the inability of a defendant adequately to prepare is case skews the fairness of the entire system. *Barker* [v. *Wingo*, 407 U.S. 514, 532 (1972)]. Defendant's argument focuses on the length of pretrial incarceration. However, he makes no claim of anxiety and concern, nor any claim of impairment of preparation of his case. This Court finds that Defendant's case has been in no way impaired by the delay.

SHOULD READ AS 4TH PARAGRAPH ON PAGE 9

In considering the prejudice factor, the Court is to consider that interests of Defendant which the speedy trial right was designed to protect, namely, (a) to prevent oppressive pretrial incarceration; (b) to minimize anxiety and concern of the accused; and (c) to limit the possibility that the defense will be impaired. Of these, the most serious is the last, because that inability of a defendant adequately to prepare is case skews the fairness of the entire system. *Barker* [v. *Wingo*, 407 U.S. 514, 532 (1972)]. Defendant's argument focuses on the length of pretrial incarceration. However, he makes no claim of anxiety and concern, nor any claim of impairment of preparation of his case. This Court finds that Defendant's case has been in no way impaired by the delay.

**THIS COURT ALSO DELETES THE DUPLICATE TEXT IN A BLOCK QUOTATION
FROM THE TRIAL COURT'S ORDER.**

A corrected opinion has been posted on the Court's webpage: www.mdcourts.gov/cosappeals.

/S/

Gregory Hilton
Clerk of the Court of Special Appeals